

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOEL MAYORAL,)	
)	
Plaintiff,)	
)	
v.)	Case No. 03-cv-315-MJR
)	
LIDIA DOWNS, REGEAN VOISHARD,)	
KAREN MCKINNEY, and PATRICAI)	
WILSON,)	
)	
Defendants.)	

ORDER

This matter was called for a final pretrial conference on June 6, 2005. The plaintiff appeared by counsel, Michael Hart and the defendants appeared by counsel, Kelly Choate.

During said pretrial conference, the issue arose whether or not the plaintiff would be allowed to add expert witness, Dr. Thomas Grecco. The defendant objected to adding Dr. Grecco as an expert witness because the discovery deadline had passed. The plaintiff stated that it was necessary to call Dr. Grecco as a witness because of the voluminous medical records involved in the case.

This case originated in the Northern District of Illinois and was transferred to the Southern District of Illinois. Mr. Hart is the latest of several attorneys who have represented the plaintiff. One of the plaintiff's previous attorneys drafted the amended complaint. When Mr. Hart entered his appearance on behalf of Mr. Mayoral, he requested discovery from the defendants who in turn told him to obtain the discovery from previous plaintiff's counsel. After much effort, Mr. Hart finally obtained discovery. The Court file was so voluminous that plaintiff's counsel was allowed to take it from the Courthouse for a week to review and copy it. The file at that time consisted of four volumes. Both parties agree that the medical records in

this matter are voluminous. Pursuant to Rule 6(b) the Court finds that it would be unfair not to allow the plaintiff an opportunity to explore the possibility of expert medical testimony.

Therefore plaintiff has until **July 13, 2005** to submit a written report of Dr. Greco to the defendant, if he intends to utilize Dr. Greco as an expert. The defendants have until **September 12, 2005** to depose Dr. Greco. The defendants shall disclose any experts by **October 12, 2005**, should they choose to call one and the plaintiff shall depose the defendant's expert by **November 14, 2005**.

DATED: June 13, 2005.

s/ Donald G. Wilkerson
DONALD G. WILKERSON
United States Magistrate Judge